

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 JEFFERY L. CAMPBELL,
12 Petitioner,
13 v.
14 JAMES E. THATCHER,
15 Respondent.

Case No. C07-5315RBL/JKA
ORDER DENYING
PETITIONER'S MOTION FOR AN
ORDER TO SHOW CAUSE

16 This 28 U.S.C. § 2254 petition for habeas corpus relief has been referred to the undersigned
17 Magistrate Judge pursuant to 28 U.S.C. § 636 (b) and local Rules MJR 3 and 4. Before the court is
18 petitioner's motion asking the court to direct respondent to appear with the petitioner in Federal Court and then
19 and there show cause why petitioner is being held (Dkt # 22).

20 The court ordered service of this petition on December 4, 2007 (Dkt # 16). An answer is not due until
21 January 18, 2008. Respondent has responded to the motion for an order to show cause and argues he should be
22 given the opportunity to file a response to the petition before having to appear. Respondent concludes
23 petitioner's motion is premature (Dkt # 24). The court concurs. Petitioner's motion is **DENIED**.

24 The Clerk is directed to mail a copy of this Order to petitioner and counsel for respondent.

26 DATED this 14 day of January, 2008.

27 /S/ J. Kelley Arnold
28 J. Kelley Arnold
 United States Magistrate Judge